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On November 20, 2006

TOWNSEND and TOWNSEND and CREW LLP

By:

Mark T. Davis



PATENT  
Attorney Docket No.: 023070-141800US  
Client Reference No.: 2004-085-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

John M. Krochta et al.

Application No.: 10/791,475

Filed: March 1, 2004

For: METHODS AND  
FORMULATIONS FOR PROVIDING  
GLOSS COATINGS TO FOODS AND  
FOR PROTECTING NUTS FROM  
RANCIDITY

Examiner: Carolyn Paden

Art Unit: 1761

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98

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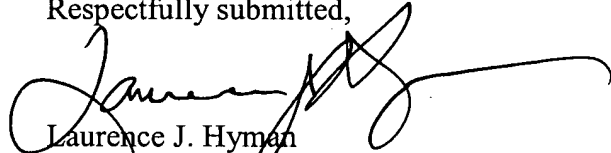
Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references other than U.S. patents are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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Reg. No. 35,551

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60916088 v1



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/791,475
				Filing Date	March 1, 2004
				First Named Inventor	Krochta, John M.
				Art Unit	1761
				Examiner Name	Not Yet Assigned
Sheet	1	of	4	Attorney Docket Number	023070-141800US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US 4,161,545	07-1979	Green et al.	
	AB	US 4,217,369	08-1980	Durst	
	AC	US 4,501,758	02-1985	Morris	
	AD	US 4,515,820	05-1985	Tang	
	AE	US 4,522,833	06-1985	Sharma	
	AF	US 4,663,175	05-1987	Werner et al.	
	AG	US 4,692,342	09-1987	Gannis et al.	
	AH	US 4,738,865	04-1988	Morris	
	AI	US 4,910,028	03-1990	Bernacchi et al.	
	AJ	US 4,935,251	06-1990	Verhoef et al.	
	AK	US 5,061,499	10-1991	Holloway, Jr. et al.	
	AL	US 5,102,680	04-1992	Glass et al.	
	AM	US 5,104,674	04-1992	Chen et al.	
	AN	US 5,128,159	07-1992	Sayles	
	AO	US 5,401,518	03-1995	Adams et al.	
	AP	US 5,529,800	06-1996	Bourns et al.	
	AQ	US 5,543,164	08-1996	Krochta et al.	
	AR	US 5,853,778	12-1998	Mayfield	
	AS	US 5,922,379	07-1999	Wang	
	AT	US 5,939,119	08-1999	Cheng et al.	
	AU	US 6,051,262	04-2000	Krause et al.	
	AV	US 6,165,521	12-2000	Mayfield	
	AW	US 2002/0142031	10-2002	Gilleland et al.	
	AX	US 6,528,088	03-2003	Gilleland et al.	
	AY	US 6,649,188	11-2003	Gilleland et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	1	WO	86/00501	A1	01-1986			<input type="checkbox"/>
	2	EP	0465801	A1	02-1992			<input type="checkbox"/>

Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A&B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
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Sheet	2	of	4	Attorney Docket Number	023070-141800US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	Dangaran, K. L. et al.; "Whey protein isolate coatings as replacement for shellac in the confectionery industry"; IFT Annual Meeting & IFT Food Expo Jun. 23-27, 2001, New Orleans, LA; Abstract 86-9; Mar. 1, 2001 Available Website: <a href="http://ift.confex.com/ift/2001/echprogram/paper.sub.-8346.htm">http://ift.confex.com/ift/2001/echprogram/paper.sub.-8346.htm</a> Accessed on: Jan. 21, 2004.	<input type="checkbox"/>
	4	Dangaran, K. L. et al.; "Effects of sucrose level on gloss and durability of whey protein isolate coatings for confectionary products"; IFT Annual Meeting & IFT Food Expo Jun. 15-19, 2002, Anaheim, CA; Abstract 72-6; Mar. 1, 2002 Available website: <a href="http://ift.confex.com/ift/2002/techprogram/paper.sub.-13618.htm">http://ift.confex.com/ift/2002/techprogram/paper.sub.-13618.htm</a> Accessed on: Jan. 21, 2004.	<input type="checkbox"/>
	5	Dangaran, K. L. et al.; "Sucrose crystallization in native and denatured whey protein isolate films"; IFT Annual Meeting & IFT Food Expo Jul. 12-16, 2003, Chicago, IL; Abstract 26-8; Mar. 1, 2003 Available website: <a href="http://ift.confex.com/ift/2003/techprogram/paper.sub.-20096.htm">http://ift.confex.com/ift/2003/techprogram/paper.sub.-20096.htm</a> Accessed on: Jan. 21, 2004.	<input type="checkbox"/>
	6	Krochta, John M.; "Film Edible"; The Wiley Encyclopedia of Packaging Technology, Second Edition, Brody, Aaron L. and Kenneth S. Marsh, eds.: 1997; pp. 397-401; John Wiley & Sons, Inc.	<input type="checkbox"/>
	7	Krochta, John M.; "Whey protein interactions: effects on edible film properties"; ACS Symposium Series: Functional Properties of Proteins and Lipids, Whitaker, John R., et al., eds.: 1998; pp. 158-167; American Chemical Society; Washington D.C.	<input type="checkbox"/>
	8	Lee, S.-Y et al.; "Modeling shelf-life of whey-protein-coated peanuts analyzed by static-headspace gas-chromatography"; IFT Annual Meeting & IFT Food Expo, Jun. 23-27, 2001, New Orleans, LA; Abstract 73D-30; Mar. 1, 2001; Available Website: <a href="http://ift.confex.com/ift/2001/techprogram/paper.sub.-9044.htm">http://ift.confex.com/ift/2001/techprogram/paper.sub.-9044.htm</a> Accessed on: Jan. 21, 2004.	<input type="checkbox"/>
	9	Lee, S.-Y et al.; "Consumer acceptance of whey-protein-coated versus shellac-coated chocolates"; IFT Annual Meeting & IFT Food Expo, Jun. 23-27, 2001, New Orleans, LA; Abstract 98-11; Mar. 1, 2001; Available Website: <a href="http://ift.confex.com/ift/2001/techprogram/paper.sub.-8758.htm">http://ift.confex.com/ift/2001/techprogram/paper.sub.-8758.htm</a> Accessed on: Jan. 21, 2004.	<input type="checkbox"/>
	10	Mate, Juan I. et al.; "Whey protein coating effect on the oxygen uptake of dry roasted peanuts"; J. Food Sci.; 1996; pp. 1202-1208; vol. 61, No. 6; Institute of Food Technologies.	<input type="checkbox"/>
	11	Mate, Juan I. et al.; "Whey protein isolate edible coatings: effect on the rancidity process of dry roasted peanuts"; J. Agric. Food Chem.; 1996; pp. 1736-1740; vol. 44; American Chemical Society.	<input type="checkbox"/>
	12	Mate, Juan I. et al.; "Whey protein acetyland monoglyceride edible coatings: effect on the rancidity process of walnuts," J. Agric. Food Chem.; 1997; pp. 2509-2513; vol. 45; American Chemical Society.	<input type="checkbox"/>

Examiner Signature		Date Considered	
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				Art Unit	1761
				Examiner Name	Not Yet Assigned
Sheet	3	of	4	Attorney Docket Number	023070-141800US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	13	McHugh, Tara Habig and John M. Krochta; "Milk-protein-based edible films and coatings"; Food Technology; Jan. 1994, pp. 97-103.	<input type="checkbox"/>
	14	McHugh, Tara Habig and John M. Krochta; "Sorbitol-vs. glycerol-plasticized whey protein edible films: integrated oxygen permeability and tensile property evaluation"; Journal of Agriculture and Food Chemistry; 1994; pp. 841-845; vol. 2; American Chemical Society.	<input type="checkbox"/>
	15	McKibben, Jason B. and J. M. Krochta; "Properties of whey protein concentrate films of varying protein contents compared to whey protein isolate films"; IFT Annual Meeting & IFT Food Expo. Jun. 10-14, 2000, Dallas, TX; Abstract 78C-16; Mar. 1, 2000.	<input type="checkbox"/>
	16	McKibben, Jason B. and J. M. Krochta; "Properties of whey protein concentrate films of varying protein contents compared to whey protein isolate films"; IFT Annual Meeting & IFT Food Expo, Jun. 10-14, 2000, Dallas, TX; Poster presentation, Tuesday, Jun. 13, 2000.	<input type="checkbox"/>
	17	Miller, K. S. , 1997. J. of Food Science 62(6)1189.	<input type="checkbox"/>
	18	Miller., K. S. 1998. J. of Food Science 63(2)244.	<input type="checkbox"/>
	19	Perez-Gago, M. B. et al.; "Water vapor permeability, solubility, and tensile properties of heat-denatured versus native whey protein films"; Journal of Food Science; 1999; pp. 1034-1037; vol. 64, No. 6; Institute of Food Technologists.	<input type="checkbox"/>
	20	Perez-Gago, M. S. 1999. J. of Food Science 64(4)696.	<input type="checkbox"/>
	21	Roy, S. et al., J. of Food Science 64(1)57.	<input type="checkbox"/>
	22	Sothornvit, R. et al, 2000. J. of Food Science 65(4)700.	<input type="checkbox"/>
	23	Trezza, T. A. et al.. 2000. The Gloss of Edible Coatings as Affected by Surfactants, Lipids, Relative Humidity, and Time. J. of Food Science 65(4)658.	<input type="checkbox"/>
	24	Trezza, T. A. , 2000. J. of Food Science 65(7)1166.	<input type="checkbox"/>
Examiner Signature			Date Considered

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	25	Trezza, T. A. et al.; "Specular reflection, gloss, roughness and surface heterogeneity of biopolymer coatings", Journal of applied Polymer Science; 2001; pp. 2221-2229; vol. 79; John Wile & Sons, Inc.	<input type="checkbox"/>

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